

NOTE: CHANGES MADE BY THE COURT

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
Southern Division

SECURITIES AND EXCHANGE
COMMISSION,

Plaintiff,

vs.

JOHN DAVID GESSIN (a/k/a John
David), an individual, EQUIFUNDS,
INC., a California Corporation, and
ICE FLEET LLC, a Delaware limited
liability company,

Defendants.

Case No. 8:23-cv-00460-JVS-ADS

**ORDER ON THE SEC'S MOTION TO
COMPEL**

THIS MATTER is before the Court on Plaintiff Securities and Exchange Commission's ("SEC") Motion to Compel. The Court held a hearing on Plaintiff's Motion on April 16, 2025 at 10:00 a.m. Defendants failed to appear. As set forth in the Court's Minute Order (Dkt. No. 59) and in further detail below, upon consideration of the SEC's Motion and for good cause shown, the Court hereby GRANTS in part and DENIES in part the Motion.

1. The Court hereby ORDERS that the Motion to Compel as to Defendants Equifunds, Inc. ("Equifunds") and Ice Fleet, LLC ("Ice Fleet") was taken off the calendar and will not be addressed at this time because they currently do not have counsel, and companies cannot proceed *pro se*. The SEC may re-notice the Motion to Compel as to Defendants Equifunds and Ice Fleet when they are represented by counsel.

2. It is further ORDERED that on or before April 23, 2025 (*i.e.*, within seven days from the Motion to Compel hearing at which the Court issued its ruling from the bench):

a. Defendant Gessin shall produce to Plaintiff SEC all non-privileged documents and communications within his possession, custody, or control, including those to which he has a legal right to access, that are responsive to the SEC's Document Requests Nos. 1-3, 5, 8-10, 14, 15, and 17-20 pursuant to the requirements of Federal Rule of Civil Procedure 34 and this Court's Local Rules.

b. Defendant Gessin shall serve accurate, complete, and signed responses to all of the interrogatories in the SEC's First Set of Interrogatories pursuant to the requirements of Federal Rule of Civil Procedure 33 and this Court's Local Rules.

c. Defendant Gessin shall produce to Plaintiff SEC privilege logs pursuant to Federal Rule of Civil Procedure 26(b)(5): (i) identifying with appropriate detail any documents and/or information withheld from his discovery productions and interrogatory responses based on the attorney-client privilege, work product doctrine, financial right to privacy, or any other privilege protection and (ii) for each and every document and information withheld, explaining the bases of the asserted privilege.

3. The Court DENIES WITHOUT PREJUDICE the SEC's request that Defendant Gessin provide declarations under oath concerning his searches and production of responsive discovery within his possession, custody, and control.

SO ORDERED.

DATED: 04/24/2025

/s/ Autumn D. Spaeth
Honorable Autumn D. Spaeth
U.S. Magistrate Judge